


OPINION

THE DENVER POST

established 1892

*"There is no hope
for the satisfied man."*

Post founder Frederick G. Bonfils,
1861-1933

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The Post Editorials

Criminal justice and the unborn

**HB 1154 provides justice for pregnant mothers such
as two whose unborn were killed in auto accidents.**

A bill to criminalize unlawful termination of a pregnancy is the latest example of a measure that could have passed a divided legislature in recent years that will now almost certainly pass through the Democratic controlled state-house.

The Crimes Against Pregnant Women bill, despite what you might infer from its name, is not about abortion. Unlike a similar measure from Rep. Janak Joshi, R-Colorado Springs, that was killed earlier this session, the authors of House Bill 1154 go to great lengths to point that out.

They inserted language pointing out it should not be construed to support "personhood" (which Colorado voters have rejected on two occasions), and specifically excluded actions taken by women regarding their pregnancies and health care professionals serving their patients.

What the bill does is address a shortcoming in Colorado law made apparent by two recent tragedies.

In December of 2010, a Denver woman who was 34 weeks pregnant was struck by a hit-and-run driver. Her unborn son died.

The incident highlighted the fact that Colorado statutes are weak when it comes to addressing people whose

criminal actions result in the termination of a pregnancy.

The point was made again last July, when a pregnant woman lost her baby after a man suspected of DUI struck her vehicle in Longmont.

At the time, Boulder County District Attorney Stan Garnett said the suspect could not be charged with vehicular homicide because a fetus is considered a part of the mother until born.

HB 1154 creates varying degrees of felony unlawful termination of a pregnancy, depending on circumstances.

A similar measure to address the issue was killed in 2011 after an outcry from anti-abortion groups. We hope this year's version passes without that distraction.

"This bill addresses a need in criminal law, but in a way that protects women's reproductive freedoms," said Rep. Mike Foote, R-Longmont, a co-sponsor of the bill.

We agree.

Colorado lawmakers in 2003 passed a law criminalizing intentionally terminating a pregnancy. But that measure didn't address conduct that is reckless or careless.

It's an overdue measure that will deliver justice to those whose crimes warrant a harsher penalty.